(3)

Hook

BEFORE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P. NO. 2136/ 2003.

Petitioner : Smt. Shakuntala Dewangan
W/o Shri Dilip Kumar Dewangan
aged about 35 years
Multipurpose Health Worker (F)
Sub-Health Centre
Under Primary Health Centre
Nikum, Tahsil & Distt.DURG (CG).

Versus

Respondents : (1) State of Chhattisgarh,
through - Secretary
Public Health and Family
Welfare Department and
Medical Education Department
Govt. of Chhattisgarh,
Mantralaya D.K.S. Bhawan,
Raipur (C.G.).

P. R. No. 1993/03
Presented by Shri U.K. Tamrakar
dated 18.8.03

(2) Chief Medical and Health Officer,
District Hospital,
DURG (C.G.).

(3) Block Medical Officer,
Primary Health Centre,
NIKUM,
Tah. & Distt. DURG (CG).

18/7/03

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

# आदेश पत्रक

मामला क्रमांक W.P. 2136/ सन् 2003

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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| | **30.07.2003**<br>Sri V.G. Tamaskar, counsel for the petitioner.<br>Sri Ranbir Singh, Govt. Advocate takes notice on behalf of the respondents.<br>Heard both the counsel.<br>The main grievance of the petitioner in this petition is that she is working as Multipurpose Health Worker (Female) at Sub-Health Centre under Primary Health Centre, Nikum, Tehsil & Distt. Durg, she joined her duties at this place on 11.02.2002 in pursuance of the posting order No.462/58/CM/2002 issued by the Public Health & Family Welfare Department of the Government of Chhattisgarh and within a period of 1 ½ years she has been transferred from this place. Her husband is unemployed and the place where she has been transferred is around about 150 Kms. away from the present place of posting. Her sons are studying at Bhilai. She has been transferred within a very short span of time. She is a Class-III employee and the transfer is penal in nature f the petitioner. If she will join the duty at the transferred place th will be no person left behind to look after her children. Moreover, she a low paid employee.<br>Learned counsel for the petitioner submitted that looking to the hardship of the petitioner if a direction is issued to the respondents | |

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

## आदेश पत्रक

मामला क्रमांक W.P.2136/सन् 2003

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित -2- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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that her representation for cancellation of the transfer be considered, it will meet the ends of justice.

Having heard the learned counsel for parties and having regard to the facts and circumstances of the case, since the petitioner has been transferred within a period of one year and five months, it is directed that if the petitioner makes any representation to respondent No.1 within a period of ten days from today, then respondent No.1 shall consider her representation looking to her hardship and take appropriate decision in the matter after considering her grievance. Till then, the petitioner shall not be relieved from the present place of posting, if she is ~~not~~ relieved ~~till then~~ transfer order is stayed for one month. In the meanwhile, respondent No.1 shall decide the representation of the petitioner.

Accordingly, the petition stands disposed of.

Consequently, M.(W.)P.No.1933/2003 and I.A.No.6514/2003 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

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